
ENGROSSED HOUSE BILL 2889

State of Washington

59th Legislature

2006 Regular Session

By Representatives Woods, Hankins, Murray, Upthegrove, Wallace and Simpson; by request of Freight Mobility Strategic Investment Board

Read first time 01/16/2006. Referred to Committee on Transportation.

1 AN ACT Relating to transportation revenue; amending RCW 46.17.010;
2 reenacting and amending RCW 43.84.092 and 43.84.092; adding a new
3 section to chapter 46.68 RCW; providing effective dates; providing an
4 expiration date; and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.68 RCW
7 to read as follows:

8 The freight mobility multimodal account is created in the state
9 treasury. Money in the account may be spent only after appropriation.
10 Expenditures from the account may be used only for freight mobility
11 projects identified in the omnibus transportation appropriations act,
12 including any principal and interest on bonds authorized for the
13 projects or improvements.

14 **Sec. 2.** RCW 46.17.010 and 2005 c 314 s 201 are each amended to
15 read as follows:

16 (1) There shall be paid and collected annually for motor vehicles
17 subject to the fee under RCW 46.16.0621, except motor homes, a vehicle
18 weight fee. The amount of the fee shall be based upon the vehicle

1 scale weight, which is correlated with vehicle size and roadway lane
2 usage. Fees imposed under this section must be used for transportation
3 purposes, and shall not be used for the general support of state
4 government. The vehicle weight fee shall be that portion of the fee as
5 reflected on the scale weight set forth in schedule B provided in RCW
6 46.16.070 that is in excess of the fee imposed under RCW 46.16.0621.
7 This fee is due at the time of initial and renewal of vehicle
8 registration.

9 (2) If the resultant weight according to this section is not listed
10 in schedule B provided in RCW 46.16.070, it shall be increased to the
11 next higher weight pursuant to chapter 46.44 RCW.

12 (3) For the purpose of administering this section, the department
13 shall rely on the vehicle empty scale weights as provided by vehicle
14 manufacturers, or other sources defined by the department, to determine
15 the weight of each vehicle. The department shall adopt rules for
16 determining weight for vehicles without manufacturer empty scale
17 weights.

18 (4) The vehicle weight fee under this section is imposed to provide
19 funds to mitigate the impact of vehicle loads on the state roads and
20 highways and is separate and distinct from other vehicle license fees.
21 Proceeds from the fee may be used for transportation purposes, or for
22 facilities and activities that reduce the number of vehicles or load
23 weights on the state roads and highways.

24 (5) The vehicle weight fee collected under this section shall be
25 deposited as follows:

26 (a) On July 1, 2006, six million dollars shall be deposited into
27 the freight mobility (~~(investment)~~) multimodal account created in (~~RCW~~
28 ~~46.68.300~~) section 1 of this act, and the remainder collected from
29 (~~January 1, 2006~~) the effective date of this section, through June
30 30, 2006, shall be deposited into the multimodal transportation
31 account;

32 (b) Beginning July 1, 2007, and every July 1st thereafter, three
33 million dollars shall be deposited into the freight mobility
34 (~~(investment)~~) multimodal account created in (~~RCW 46.68.300~~) section
35 1 of this act, and the remainder shall be deposited into the multimodal
36 transportation account.

1 **Sec. 3.** RCW 43.84.092 and 2005 c 514 s 1105, 2005 c 353 s 3, 2005
2 c 339 s 22, 2005 c 314 s 109, 2005 c 312 s 7, and 2005 c 94 s 1 are
3 each reenacted and amended to read as follows:

4 (1) All earnings of investments of surplus balances in the state
5 treasury shall be deposited to the treasury income account, which
6 account is hereby established in the state treasury.

7 (2) The treasury income account shall be utilized to pay or receive
8 funds associated with federal programs as required by the federal cash
9 management improvement act of 1990. The treasury income account is
10 subject in all respects to chapter 43.88 RCW, but no appropriation is
11 required for refunds or allocations of interest earnings required by
12 the cash management improvement act. Refunds of interest to the
13 federal treasury required under the cash management improvement act
14 fall under RCW 43.88.180 and shall not require appropriation. The
15 office of financial management shall determine the amounts due to or
16 from the federal government pursuant to the cash management improvement
17 act. The office of financial management may direct transfers of funds
18 between accounts as deemed necessary to implement the provisions of the
19 cash management improvement act, and this subsection. Refunds or
20 allocations shall occur prior to the distributions of earnings set
21 forth in subsection (4) of this section.

22 (3) Except for the provisions of RCW 43.84.160, the treasury income
23 account may be utilized for the payment of purchased banking services
24 on behalf of treasury funds including, but not limited to, depository,
25 safekeeping, and disbursement functions for the state treasury and
26 affected state agencies. The treasury income account is subject in all
27 respects to chapter 43.88 RCW, but no appropriation is required for
28 payments to financial institutions. Payments shall occur prior to
29 distribution of earnings set forth in subsection (4) of this section.

30 (4) Monthly, the state treasurer shall distribute the earnings
31 credited to the treasury income account. The state treasurer shall
32 credit the general fund with all the earnings credited to the treasury
33 income account except:

34 (a) The following accounts and funds shall receive their
35 proportionate share of earnings based upon each account's and fund's
36 average daily balance for the period: The capitol building
37 construction account, the Cedar River channel construction and
38 operation account, the Central Washington University capital projects

1 account, the charitable, educational, penal and reformatory
2 institutions account, the common school construction fund, the county
3 criminal justice assistance account, the county sales and use tax
4 equalization account, the data processing building construction
5 account, the deferred compensation administrative account, the deferred
6 compensation principal account, the department of retirement systems
7 expense account, the developmental disabilities community trust
8 account, the drinking water assistance account, the drinking water
9 assistance administrative account, the drinking water assistance
10 repayment account, the Eastern Washington University capital projects
11 account, the education construction fund, the education legacy trust
12 account, the election account, the emergency reserve fund, The
13 Evergreen State College capital projects account, the federal forest
14 revolving account, the freight mobility investment account, the freight
15 mobility multimodal account, the health services account, the public
16 health services account, the health system capacity account, the
17 personal health services account, the state higher education
18 construction account, the higher education construction account, the
19 highway infrastructure account, the high-occupancy toll lanes
20 operations account, the industrial insurance premium refund account,
21 the judges' retirement account, the judicial retirement administrative
22 account, the judicial retirement principal account, the local leasehold
23 excise tax account, the local real estate excise tax account, the local
24 sales and use tax account, the medical aid account, the mobile home
25 park relocation fund, the multimodal transportation account, the
26 municipal criminal justice assistance account, the municipal sales and
27 use tax equalization account, the natural resources deposit account,
28 the oyster reserve land account, the perpetual surveillance and
29 maintenance account, the public employees' retirement system plan 1
30 account, the public employees' retirement system combined plan 2 and
31 plan 3 account, the public facilities construction loan revolving
32 account beginning July 1, 2004, the public health supplemental account,
33 the Puyallup tribal settlement account, the real estate appraiser
34 commission account, the regional transportation investment district
35 account, the resource management cost account, the rural Washington
36 loan fund, the site closure account, the small city pavement and
37 sidewalk account, the special wildlife account, the state employees'
38 insurance account, the state employees' insurance reserve account, the

1 state investment board expense account, the state investment board
2 commingled trust fund accounts, the supplemental pension account, the
3 Tacoma Narrows toll bridge account, the teachers' retirement system
4 plan 1 account, the teachers' retirement system combined plan 2 and
5 plan 3 account, the tobacco prevention and control account, the tobacco
6 settlement account, the transportation infrastructure account, the
7 transportation partnership account, the tuition recovery trust fund,
8 the University of Washington bond retirement fund, the University of
9 Washington building account, the volunteer fire fighters' and reserve
10 officers' relief and pension principal fund, the volunteer fire
11 fighters' and reserve officers' administrative fund, the Washington
12 fruit express account, the Washington judicial retirement system
13 account, the Washington law enforcement officers' and fire fighters'
14 system plan 1 retirement account, the Washington law enforcement
15 officers' and fire fighters' system plan 2 retirement account, the
16 Washington school employees' retirement system combined plan 2 and 3
17 account, the Washington state health insurance pool account, the
18 Washington state patrol retirement account, the Washington State
19 University building account, the Washington State University bond
20 retirement fund, the water pollution control revolving fund, and the
21 Western Washington University capital projects account. Earnings
22 derived from investing balances of the agricultural permanent fund, the
23 normal school permanent fund, the permanent common school fund, the
24 scientific permanent fund, and the state university permanent fund
25 shall be allocated to their respective beneficiary accounts. All
26 earnings to be distributed under this subsection (4)(a) shall first be
27 reduced by the allocation to the state treasurer's service fund
28 pursuant to RCW 43.08.190.

29 (b) The following accounts and funds shall receive eighty percent
30 of their proportionate share of earnings based upon each account's or
31 fund's average daily balance for the period: The aeronautics account,
32 the aircraft search and rescue account, the county arterial
33 preservation account, the department of licensing services account, the
34 essential rail assistance account, the ferry bond retirement fund, the
35 grade crossing protective fund, the high capacity transportation
36 account, the highway bond retirement fund, the highway safety account,
37 the motor vehicle fund, the motorcycle safety education account, the
38 pilotage account, the public transportation systems account, the Puget

1 Sound capital construction account, the Puget Sound ferry operations
2 account, the recreational vehicle account, the rural arterial trust
3 account, the safety and education account, the special category C
4 account, the state patrol highway account, the transportation 2003
5 account (nickel account), the transportation equipment fund, the
6 transportation fund, the transportation improvement account, the
7 transportation improvement board bond retirement account, and the urban
8 arterial trust account.

9 (5) In conformance with Article II, section 37 of the state
10 Constitution, no treasury accounts or funds shall be allocated earnings
11 without the specific affirmative directive of this section.

12 **Sec. 4.** RCW 43.84.092 and 2005 c 514 s 1106, 2005 c 353 s 4, 2005
13 c 339 s 23, 2005 c 314 s 110, 2005 c 312 s 8, and 2005 c 94 s 2 are
14 each reenacted and amended to read as follows:

15 (1) All earnings of investments of surplus balances in the state
16 treasury shall be deposited to the treasury income account, which
17 account is hereby established in the state treasury.

18 (2) The treasury income account shall be utilized to pay or receive
19 funds associated with federal programs as required by the federal cash
20 management improvement act of 1990. The treasury income account is
21 subject in all respects to chapter 43.88 RCW, but no appropriation is
22 required for refunds or allocations of interest earnings required by
23 the cash management improvement act. Refunds of interest to the
24 federal treasury required under the cash management improvement act
25 fall under RCW 43.88.180 and shall not require appropriation. The
26 office of financial management shall determine the amounts due to or
27 from the federal government pursuant to the cash management improvement
28 act. The office of financial management may direct transfers of funds
29 between accounts as deemed necessary to implement the provisions of the
30 cash management improvement act, and this subsection. Refunds or
31 allocations shall occur prior to the distributions of earnings set
32 forth in subsection (4) of this section.

33 (3) Except for the provisions of RCW 43.84.160, the treasury income
34 account may be utilized for the payment of purchased banking services
35 on behalf of treasury funds including, but not limited to, depository,
36 safekeeping, and disbursement functions for the state treasury and
37 affected state agencies. The treasury income account is subject in all

1 respects to chapter 43.88 RCW, but no appropriation is required for
2 payments to financial institutions. Payments shall occur prior to
3 distribution of earnings set forth in subsection (4) of this section.

4 (4) Monthly, the state treasurer shall distribute the earnings
5 credited to the treasury income account. The state treasurer shall
6 credit the general fund with all the earnings credited to the treasury
7 income account except:

8 (a) The following accounts and funds shall receive their
9 proportionate share of earnings based upon each account's and fund's
10 average daily balance for the period: The capitol building
11 construction account, the Cedar River channel construction and
12 operation account, the Central Washington University capital projects
13 account, the charitable, educational, penal and reformatory
14 institutions account, the common school construction fund, the county
15 criminal justice assistance account, the county sales and use tax
16 equalization account, the data processing building construction
17 account, the deferred compensation administrative account, the deferred
18 compensation principal account, the department of retirement systems
19 expense account, the developmental disabilities community trust
20 account, the drinking water assistance account, the drinking water
21 assistance administrative account, the drinking water assistance
22 repayment account, the Eastern Washington University capital projects
23 account, the education construction fund, the education legacy trust
24 account, the election account, the emergency reserve fund, The
25 Evergreen State College capital projects account, the federal forest
26 revolving account, the freight mobility investment account, the freight
27 mobility multimodal account, the health services account, the public
28 health services account, the health system capacity account, the
29 personal health services account, the state higher education
30 construction account, the higher education construction account, the
31 highway infrastructure account, the high-occupancy toll lanes
32 operations account, the industrial insurance premium refund account,
33 the judges' retirement account, the judicial retirement administrative
34 account, the judicial retirement principal account, the local leasehold
35 excise tax account, the local real estate excise tax account, the local
36 sales and use tax account, the medical aid account, the mobile home
37 park relocation fund, the multimodal transportation account, the
38 municipal criminal justice assistance account, the municipal sales and

1 use tax equalization account, the natural resources deposit account,
2 the oyster reserve land account, the perpetual surveillance and
3 maintenance account, the public employees' retirement system plan 1
4 account, the public employees' retirement system combined plan 2 and
5 plan 3 account, the public facilities construction loan revolving
6 account beginning July 1, 2004, the public health supplemental account,
7 the public works assistance account, the Puyallup tribal settlement
8 account, the real estate appraiser commission account, the regional
9 transportation investment district account, the resource management
10 cost account, the rural Washington loan fund, the site closure account,
11 the small city pavement and sidewalk account, the special wildlife
12 account, the state employees' insurance account, the state employees'
13 insurance reserve account, the state investment board expense account,
14 the state investment board commingled trust fund accounts, the
15 supplemental pension account, the Tacoma Narrows toll bridge account,
16 the teachers' retirement system plan 1 account, the teachers'
17 retirement system combined plan 2 and plan 3 account, the tobacco
18 prevention and control account, the tobacco settlement account, the
19 transportation infrastructure account, the transportation partnership
20 account, the tuition recovery trust fund, the University of Washington
21 bond retirement fund, the University of Washington building account,
22 the volunteer fire fighters' and reserve officers' relief and pension
23 principal fund, the volunteer fire fighters' and reserve officers'
24 administrative fund, the Washington fruit express account, the
25 Washington judicial retirement system account, the Washington law
26 enforcement officers' and fire fighters' system plan 1 retirement
27 account, the Washington law enforcement officers' and fire fighters'
28 system plan 2 retirement account, the Washington public safety
29 employees' plan 2 retirement account, the Washington school employees'
30 retirement system combined plan 2 and 3 account, the Washington state
31 health insurance pool account, the Washington state patrol retirement
32 account, the Washington State University building account, the
33 Washington State University bond retirement fund, the water pollution
34 control revolving fund, and the Western Washington University capital
35 projects account. Earnings derived from investing balances of the
36 agricultural permanent fund, the normal school permanent fund, the
37 permanent common school fund, the scientific permanent fund, and the
38 state university permanent fund shall be allocated to their respective

1 beneficiary accounts. All earnings to be distributed under this
2 subsection (4)(a) shall first be reduced by the allocation to the state
3 treasurer's service fund pursuant to RCW 43.08.190.

4 (b) The following accounts and funds shall receive eighty percent
5 of their proportionate share of earnings based upon each account's or
6 fund's average daily balance for the period: The aeronautics account,
7 the aircraft search and rescue account, the county arterial
8 preservation account, the department of licensing services account, the
9 essential rail assistance account, the ferry bond retirement fund, the
10 grade crossing protective fund, the high capacity transportation
11 account, the highway bond retirement fund, the highway safety account,
12 the motor vehicle fund, the motorcycle safety education account, the
13 pilotage account, the public transportation systems account, the Puget
14 Sound capital construction account, the Puget Sound ferry operations
15 account, the recreational vehicle account, the rural arterial trust
16 account, the safety and education account, the special category C
17 account, the state patrol highway account, the transportation 2003
18 account (nickel account), the transportation equipment fund, the
19 transportation fund, the transportation improvement account, the
20 transportation improvement board bond retirement account, and the urban
21 arterial trust account.

22 (5) In conformance with Article II, section 37 of the state
23 Constitution, no treasury accounts or funds shall be allocated earnings
24 without the specific affirmative directive of this section.

25 NEW SECTION. **Sec. 5.** Section 3 of this act expires July 1, 2006.

26 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect July 1,
27 2006.

28 NEW SECTION. **Sec. 7.** Except for section 4 of this act, this act
29 is necessary for the immediate preservation of the public peace,
30 health, or safety, or support of the state government and its existing
31 public institutions, and takes effect March 24, 2006.

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